



House of Representatives

General Assembly

File No. 206

January Session, 2013

Substitute House Bill No. 5763

House of Representatives, March 27, 2013

The Committee on Public Health reported through REP. JOHNSON of the 49th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING GRIEVANCE COMMITTEES IN NURSING HOME FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2013*) (a) Each nursing home
2 facility, as defined in section 19a-521 of the general statutes, shall
3 establish a grievance policy to ensure that resident grievances are
4 resolved in a timely manner. The grievance policy shall allow residents
5 of the nursing home facility to elect to have grievances resolved by the
6 grievance committee established pursuant to subsection (b) of this
7 section. If a resident presenting a grievance does not elect to have the
8 grievance resolved by the grievance committee, the administrator of
9 the nursing home facility shall resolve the grievance in a timely
10 manner.

11 (b) Each nursing home facility may establish a grievance committee
12 consisting of two employees of the nursing home facility appointed by
13 the nursing home administrator and one resident elected annually by
14 the residents of the nursing home facility. The grievance committee

- 15 shall (1) review and suggest changes, as necessary, to the grievance
16 policy, and (2) resolve grievances that residents elect to have resolved
17 by the grievance committee in a timely manner.

| | | |
|---|-----------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2013 | New section |

AGE *Joint Favorable Subst. C/R*

PH

PH *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill has no fiscal impact as it requires nursing homes and residential care homes to establish a grievance policy, which does not affect state payments to nursing homes.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 5763*****AN ACT CONCERNING GRIEVANCE COMMITTEES IN NURSING HOME FACILITIES.*****SUMMARY:**

This bill requires every nursing home and residential care home to establish a grievance policy to ensure that residents' grievances are resolved in a timely manner. It also allows these facilities to establish a grievance committee to (1) review and suggest changes, as necessary, to the policy and (2) resolve residents' grievances in a timely manner.

Under the bill, the grievance committee consists of two employees appointed by the facility's administrator and one resident elected annually by the residents.

The bill is unclear as to whether homes must establish a grievance committee. Initially, the bill allows homes to establish these committees. But, it later requires the grievance policy to allow residents to choose to have the committee resolve their grievances, which appears to require the creation of the grievance committee.

If a resident chooses not to have the committee resolve the grievance, the bill requires the facility's administrator to resolve the grievance in a timely manner (presumably, the administrator must also do this at facilities that do not establish a committee).

EFFECTIVE DATE: October 1, 2013

BACKGROUND***Nursing Home Patients' Bill of Rights***

The state's nursing home patient's bill of rights grants residents the right to have a facility make prompt efforts to resolve their grievances,

including those involving other patients' behavior (CGS § 19a-550).

COMMITTEE ACTION

Aging Committee

Joint Favorable Substitute Change of Reference

Yea 11 Nay 0 (02/14/2013)

Public Health Committee

Joint Favorable

Yea 24 Nay 4 (03/11/2013)